IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

OP.No. 9964 of 2000(J)

PETITIONER:

T.K.GEORGE,
HIGH SCHOOL ASSISTANT,
P.S.H.S. THIRUMUDIKKUNNU,
KORATTY EAST,
THRISSUR DISTRICT.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
ITS CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
THRISSUR.

4. THE DISTRICT EDUCATIONAL OFFICER,
IRINJALAKUDA.

5. THE CORPORATE MANAGER,
L.F. CHURCH SCHOOLS,
THIRUMUDIKKUNNU,
EAST KORATTY P.O.

6. SHRI.K.P.JOSEPH,
HIGH SCHOOL ASSISTANT,
P.S.H.S. THIRUMUDIKKUNNU,
KORATTY EAST P.O.

BY ADV. SRI.A.X.VARGHESE
GOVT. PLEADER, SMT. N.SUDHA DEVI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP.No. 9964/2000/J

ORDER ON C.M.P. NO.16689/2000 IN O.P. NO.9964/2000

DISMISSED.

SD/-

16.8.07 T.R.RAMACHANDRAN NAIR, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF APPOINTMENT ORDER DATED 17-11-1998 ISSUED BY THE 5TH RESPONDENT.

EXT. P2: COPY OF APPOINTMENT ORDER DATED, 01-09-1999 ISSUED BY THE 5TH RESPONDENT.

EXT. P3: COPY OF ORDER NO.B2-31671/99/K.DIS. DATED, 26-2-2000 ISSUED BY THE 3RD RESPONDENT.

EXT. P4: COPY OF CERTIFICATE DATED, 30-06-99 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

/TRUE COPY/

P.A. TO JUDGE

JP

T.R.RAMACHANDRAN NAIR, J.

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O.P.No.9964 of 2000-J.

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Dated this the 16th day of August, 2007.

J U D G M E N T

The petitioner approached this Court mainly for a declaration that he is entitled to be appointed as Headmaster in preference to the 6th respondent and for a further direction to the respondents 1 to 4 to pay the petitioner salary of the Headmaster for the period from 17.11.1998 to 8.1.1999 and 1.9.1999 to 29.10.1999, the period during which the petitioner had actually discharged the duties of the Headmaster.

2. When the matter came up for hearing today the learned counsel for the petitioner submitted that the petitioner has already retired from service and what remains is only an exact calculation and the payment of benefits during the period in which he was working as Headmaster. The petitioner may pursue his remedy before the 3rd respondent the Deputy Director of Education in this regard. If an appropriate representation is filed by the petitioner before the 3rd respondent stating his claims under the relevant rules, the same shall be considered by him and appropriate decision will be taken and communicated to the petitioner. If the petitioner files such

representation within six weeks from today the same will be considered by the 3rd respondent and final orders will also be passed with a further period of four weeks thereafter.

With the above observation, this Original Petition is disposed of. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-